

# Michigan Law Review

---

Vol. 105, No. 3

December 2006

## CONTENTS

### ARTICLES

- INDEPENDENT INVENTION AS A DEFENSE  
TO PATENT INFRINGEMENT ..... *Samson Vermont* 475
- RACE NUISANCE: THE POLITICS  
OF LAW IN THE JIM CROW ERA ..... *Rachel D. Godsil* 505
- THE DISGORGEMENT INTEREST  
IN CONTRACT LAW ..... *Melvin A. Eisenberg* 559

### NOTE

- PARTY ON: THE RIGHT TO VOLUNTARY  
BLANKET PRIMARIES ..... *Margaret P. Aisenbrey* 603

---

Copyright © 2006 by the Michigan Law Review Association. Except where otherwise expressly provided, the author of each article and note in this issue has granted permission for copies of that article or note to be made for educational use, provided that (i) copies are distributed at or below cost; (ii) the author and the *Michigan Law Review* are identified; (iii) prior written notice of the use is given to the Michigan Law Review Association; and (iv) proper notice of copyright is affixed to each copy.

*Michigan Law Review* (ISSN 0026-2234) is published monthly in October, November, December, February, March, April, May, and June. Subscriptions: United States, \$60 per year in advance, eight numbers; Foreign, \$70. Editorial and Business Offices: University of Michigan Law School, 625 S. State St., Ann Arbor, Michigan 48109-1215; 734/763-5870 (Business); 734/647-5817 (Fax). Internet Address: <http://students.law.umich.edu/mlr>. Periodicals postage paid at Ann Arbor, Michigan, and additional mailing offices. POSTMASTER: send address changes to Michigan Law Review, 625 S. State St., Ann Arbor, Michigan 48109-1215.

Printed at Joe Christensen, Inc., Lincoln, Nebraska 68521.

Recent Volumes: Single Issues \$10, Book Review \$16, and Special Issues \$12, postpaid, at Editorial and Business Offices.

Volumes 1 through 101, as well as single issues in those volumes, are available in printed and microform from William S. Hein & Co., Inc., 1285 Main Street, Buffalo, New York 14209.

Because back stock of the *Review* is turned over to a dealer, back numbers are available to the *Review* for a short time only. We must therefore ask that subscribers report the nonreceipt of copies within six months of the mailing date.

We gladly consider unsolicited manuscripts for publication. Citations in manuscripts should follow the form prescribed in *The Bluebook: A Uniform System of Citation* (18th ed. 2005) and *The Chicago Manual of Style* (15th ed. 2003). We regret that we can return only those manuscripts for which we receive postage and handling fees of \$4.05 for first-class and \$1.97 for media mail book rate.